



Senate

General Assembly

File No. 118

January Session, 2013

Substitute Senate Bill No. 1034

Senate, March 25, 2013

The Committee on Veterans' Affairs reported through SEN. LEONE of the 27th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING VETERANS AFFAIRS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (5) of section 3-62b of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (5) Sections 3-62b to 3-62g, inclusive, as amended by this act, are
5 applicable to all funds or other property in the possession of the
6 government of the United States, and of its departments, officers and
7 agencies, which property has its situs in this state or which belonged
8 or belongs to a resident of this state or which belonged or belongs to a
9 person whose last-known address was within this state, and is not
10 limited to any named federal agency. [Said sections] Sections 3-62b to
11 3-62g, inclusive, as amended by this act, are applicable to all funds
12 held in the [Veterans' Administration] United States Department of
13 Veterans Affairs, Comptroller of Currency, United States Treasury,
14 Department of Internal Revenue, Post Office Department, federal
15 courts and registry of federal courts, and to such evidences of

16 indebtedness as adjusted service bonds, matured debts issued prior to
17 1917, together with interest thereon, postal savings bonds, liberty
18 bonds, victory notes, Treasury bonds, Treasury notes, certificates of
19 indebtedness, Treasury bills, Treasurer's savings certificates, bonuses
20 and adjusted compensation, allotments, postal savings certificates,
21 Farmers Home Administration notes, and all unclaimed refunds or
22 rebates of whatever kind or nature, which are subjects of escheat,
23 under the terms of said sections; provided nothing in [said] sections 3-
24 62b to 3-62g, inclusive, as amended by this act, shall be construed to
25 mean that any funds held or controlled by the United States on
26 October 1, 1969, under order of any court of the United States shall
27 become property of the state.

28 Sec. 2. Subdivision (1) of subsection (a) of section 4a-82 of the
29 general statutes is repealed and the following is substituted in lieu
30 thereof (*Effective from passage*):

31 (1) "Person with a disability" means any individual with a disability,
32 excluding blindness, as such term is applied by the Department of
33 Mental Health and Addiction Services, the Department of
34 Developmental Services, the Department of Rehabilitation Services or
35 the [Veterans' Administration] United States Department of Veterans
36 Affairs and who is certified by the Department of Rehabilitation
37 Services as qualified to participate in a qualified partnership, as
38 described in subsections (f) to (m), inclusive, of this section;

39 Sec. 3. Section 5-224 of the general statutes is repealed and the
40 following is substituted in lieu thereof (*Effective from passage*):

41 Any veteran who served in time of war, if such veteran is not
42 eligible for disability compensation or pension from the United States
43 [through the Veterans' Administration] Department of Veterans
44 Affairs, or the spouse of such veteran who by reason of such veteran's
45 disability is unable to pursue gainful employment, or the unmarried
46 surviving spouse of such veteran, and if such person has attained at
47 least the minimum earned rating on any examination held for an
48 original appointment for the purpose of establishing a candidate list to

49 fill a vacancy in accordance with subsection (d) of section 5-228, shall
50 have five points added to his or her earned rating. Any such veteran,
51 or the spouse of such veteran who by reason of such veteran's
52 disability is unable to pursue gainful employment, or the unmarried
53 surviving spouse of such veteran, if such person is eligible for such
54 disability compensation or pension and if he or she has attained at
55 least the minimum earned rating on any such examination held for an
56 original appointment for the purpose of establishing a candidate list to
57 fill a vacancy in accordance with subsection (d) of section 5-228, shall
58 have ten points added to his or her earned rating. Any person who has
59 been honorably discharged from or released under honorable
60 conditions from active service in the armed forces of the United States,
61 and who has served in a military action for which such person
62 received or was entitled to receive a campaign badge or expeditionary
63 medal, shall have five points added to his or her earned rating if such
64 person has attained at least the minimum earned rating on any such
65 examination held for an original appointment for the purpose of
66 establishing a candidate list to fill a vacancy in accordance with
67 subsection (d) of section 5-228 and such person is not otherwise
68 eligible to receive additional points pursuant to this section. Names of
69 any such persons shall be placed upon the candidate lists in the order
70 of such augmented ratings. Credits shall be based upon examinations
71 with a possible rating of one hundred points.

72 Sec. 4. Subsection (b) of section 7-313c of the general statutes is
73 repealed and the following is substituted in lieu thereof (*Effective from*
74 *passage*):

75 (b) This section shall not apply to any member of a fire department
76 of a town, city or borough receiving educational benefits from the
77 [Veterans' Administration] United States Department of Veterans
78 Affairs or any Connecticut fire department association.

79 Sec. 5. Section 7-415 of the general statutes is repealed and the
80 following is substituted in lieu thereof (*Effective from passage*):

81 Any veteran who served in time of war, if he or she is not eligible

82 for disability compensation or pension from the United States through
83 the [Veterans' Administration] United States Department of Veterans
84 Affairs and if he or she has attained at least the minimum earned
85 rating on any examination held for the purpose of establishing an
86 employment list for original appointment, shall have five points added
87 to his or her earned rating. Any such veteran, if he or she is eligible for
88 such disability compensation or pension and if he or she has attained
89 at least the minimum earned rating on any such examination, shall
90 have ten points added to his or her earned rating. Names of veterans
91 shall be placed on the list of eligibles in the order of such augmented
92 rating. Credits shall be based upon examinations with a possible rating
93 of one hundred points. No such points shall be added to any earned
94 rating in any civil service or merit examination except as provided in
95 this section, the provisions of any municipal charter or special act
96 notwithstanding.

97 Sec. 6. Subsection (b) of section 7-436b of the general statutes is
98 repealed and the following is substituted in lieu thereof (*Effective from*
99 *passage*):

100 (b) Notwithstanding the provisions of subsection (a) of this section,
101 the municipal employer of any member who applies on or after July 1,
102 1986, for such military service credit shall pay all contributions
103 required under said subsection which are attributable to that portion
104 of the member's military service time during which [he] such member
105 was a prisoner of war, provided such member submits with his or her
106 application for such credit sufficient proof from [the Veterans'
107 Administration of] the United States Department of Veterans Affairs
108 that [he] such member is a former prisoner of war. Any municipal
109 employer which pays the contributions required under this subsection
110 for a member who later receives a retirement allowance for permanent
111 and total disability under this part shall, upon its written request, be
112 refunded all such contributions paid under this subsection, provided
113 such military service credit did not serve to increase the amount of
114 disability retirement benefits for which the member was eligible.

115 Sec. 7. Subsection (a) of section 10a-166 of the general statutes is
116 repealed and the following is substituted in lieu thereof (*Effective from*
117 *passage*):

118 (a) Any child between the ages of sixteen and twenty-three,
119 inclusive, of any person who served in the armed forces in time of war,
120 as defined in subsection (a) of section 27-103, as amended by this act,
121 and who was killed in action or who died as a result of accident or
122 illness sustained while performing active military duty with the armed
123 forces of the United States or who has been rated totally and
124 permanently disabled by [the Veterans' Administration of] the United
125 States Department of Veterans Affairs, or who is missing in action in
126 Vietnam, if such person was a resident of this state at the time of his
127 induction or reenlistment, shall receive, upon application to and
128 approval of such application therefor by the Board of Regents for
129 Higher Education, state aid for tuition, matriculation fees, board, room
130 rent, books and supplies for such child attending any of the following-
131 named institutions approved by said board: An educational or training
132 institution of college grade or any other institution of higher learning
133 or commercial training, a state college, a technical high school or
134 technical institute or any accredited military preparatory school if such
135 beneficiary is preparing to enter the United States Military Academy at
136 West Point, the United States Naval Academy at Annapolis, the United
137 States Coast Guard Academy at New London or the United States Air
138 Force Academy at Colorado Springs. The application submitted to the
139 Board of Regents for Higher Education shall include an affidavit
140 signed by the applicant which states that the applicant has not applied
141 for and will not apply for or receive state aid from another state which
142 is similar to that provided for in this section. Such grant may be used
143 for the matriculation fees of any such beneficiary at any of said United
144 States government academies. Such aid shall be based on need and
145 shall not exceed four hundred dollars per year for each beneficiary and
146 shall be paid to such institution on vouchers approved by the Board of
147 Regents for Higher Education.

148 Sec. 8. Subdivisions (20) to (24), inclusive, of section 12-81 of the

149 general statutes are repealed and the following is substituted in lieu
150 thereof (*Effective from passage*):

151 (20) Subject to the provisions hereinafter stated, property not
152 exceeding three thousand dollars in amount shall be exempt from
153 taxation, which property belongs to, or is held in trust for, any resident
154 of this state who has served, or is serving, in the Army, Navy, Marine
155 Corps, Coast Guard or Air Force of the United States and (1) has a
156 disability rating by [the Veterans' Administration of] the United States
157 Department of Veterans Affairs amounting to ten per cent or more of
158 total disability, provided such exemption shall be fifteen hundred
159 dollars in any case in which such rating is between ten per cent and
160 twenty-five per cent; two thousand dollars in any case in which such
161 rating is more than twenty-five per cent but not more than fifty per
162 cent; twenty-five hundred dollars in any case in which such rating is
163 more than fifty per cent but not more than seventy-five per cent; and
164 three thousand dollars in any case in which such person has attained
165 sixty-five years of age or such rating is more than seventy-five per
166 cent; or (2) is receiving a pension, annuity or compensation from the
167 United States because of the loss in service of a leg or arm or that
168 which is considered by the rules of the United States Pension Office or
169 the Bureau of War Risk Insurance the equivalent of such loss. If such
170 veteran lacks such amount of property in his or her name, so much of
171 the property belonging to, or held in trust for, his or her spouse, who is
172 domiciled with him or her, as is necessary to equal such amount shall
173 also be so exempt. When any veteran entitled to an exemption under
174 the provisions of this section has died, property belonging to, or held
175 in trust for, his or her surviving spouse, while such spouse remains a
176 widow or widower, or belonging to or held in trust for his or her
177 minor children during their minority, or both, while they are residents
178 of this state, shall be exempt in the same aggregate amount as that to
179 which the disabled veteran was or would have been entitled at the
180 time of his or her death. No individual entitled to exemption under
181 this subdivision and under one or more of subdivisions (19), (22), (23),
182 (25) and (26) of this section shall receive more than one exemption. No
183 individual shall receive any exemption to which he or she is entitled

184 under this subdivision until he or she has complied with section 12-95
185 and has submitted proof of his or her disability rating, as determined
186 by the [Veterans' Administration of the] United States Department of
187 Veterans Affairs, to the assessor of the town in which the exemption is
188 sought. If there is no change to an individual's disability rating, such
189 proof shall not be required for any assessment year following that for
190 which the exemption under this subdivision is granted initially. If [the
191 Veterans' Administration of] the United States Department of Veterans
192 Affairs modifies a veteran's disability rating, such modification shall be
193 deemed a waiver of the right to such exemption until proof of
194 disability rating is submitted to the assessor and the right to such
195 exemption is established as required initially. Any person who has
196 been unable to submit evidence of disability rating in the manner
197 required by this subdivision, or who has failed to submit such
198 evidence as provided in section 12-95, may, when he or she obtains
199 such evidence, make application to the collector of taxes within one
200 year after he or she obtains such proof or within one year after the
201 expiration of the time limited in section 12-95, as the case may be, for
202 abatement in case the tax has not been paid, or for refund in case the
203 whole tax has been paid, of such part or the whole of such tax as
204 represents the service exemption. Such abatement or refund may be
205 granted retroactively to include the assessment day next succeeding
206 the date as of which such person was entitled to such disability rating
207 as determined by [the Veterans' Administration of] the United States
208 Department of Veterans Affairs, but in no case shall any abatement or
209 refund be made for a period greater than three years. The collector
210 shall, after examination of such application, refer the same, with his
211 recommendations thereon, to the board of selectmen of a town or to
212 the corresponding authority of any other municipality, and shall
213 certify to the amount of abatement or refund to which the applicant is
214 entitled. Upon receipt of such application and certification, the
215 selectmen or other duly constituted authority shall, in case the tax has
216 not been paid, issue a certificate of abatement or, in case the whole tax
217 has been paid, draw an order upon the treasurer in favor of such
218 applicant for the amount without interest which represents the service

219 exemption. Any action so taken by such selectmen or other authority
220 shall be a matter of record and the tax collector shall be notified in
221 writing of such action;

222 (21) (A) The dwelling house, and the lot whereupon the same is
223 erected, belonging to or held in trust for any person who is a citizen
224 and resident of this state, occupied as such person's domicile, shall be
225 exempt from local property taxation to the extent of ten thousand
226 dollars of its assessed valuation or, lacking said amount in property in
227 such person's own name, so much of the property belonging to, or held
228 in trust for, such person's spouse, who is domiciled with such person,
229 as is necessary to equal said amount, if such person is a veteran who
230 served in the Army, Navy, Marine Corps, Coast Guard or Air Force of
231 the United States and has been declared by the United States [Veterans'
232 Administration] Department of Veterans Affairs or its successors to
233 have a service-connected disability from paraplegia or osteochondritis
234 resulting in permanent loss of the use of both legs or permanent
235 paralysis of both legs and lower parts of the body; or from hemiplegia
236 and has permanent paralysis of one leg and one arm or either side of
237 the body resulting from injury to the spinal cord, skeletal structure or
238 brain or from disease of the spinal cord not resulting from any form of
239 syphilis; or from total blindness as defined in section 12-92; or from the
240 amputation of both arms, both legs, both hands or both feet, or the
241 combination of a hand and a foot; sustained through enemy action, or
242 resulting from accident occurring or disease contracted in such active
243 service. Nothing in this subdivision shall be construed to include
244 paraplegia or hemiplegia resulting from locomotor ataxia or other
245 forms of syphilis of the central nervous system, or from chronic
246 alcoholism, or to include other forms of disease resulting from the
247 veteran's own misconduct which may produce signs and symptoms
248 similar to those resulting from paraplegia, osteochondritis or
249 hemiplegia. The loss of the use of one arm or one leg because of service
250 related injuries specified in this subdivision shall qualify a veteran for
251 a property tax exemption in the same manner as hereinabove,
252 provided such exemption shall be for five thousand dollars;

253 (B) The exemption provided for in this subdivision shall be in
254 addition to any other exemption of such person's real and personal
255 property allowed by law, but no taxpayer shall be allowed more than
256 one exemption under this subdivision. No person shall be entitled to
257 receive any exemption under this subdivision until such person has
258 satisfied the requirements of subdivision (20) of this section. The
259 surviving spouse of any such person who at the time of such person's
260 death was entitled to and had the exemption provided under this
261 subdivision shall be entitled to the same exemption, (i) while such
262 spouse remains a widow or widower, or (ii) upon the termination of
263 any subsequent marriage of such spouse by dissolution, annulment or
264 death and while a resident of this state, for the time that such person is
265 the legal owner of and actually occupies a dwelling house and
266 premises intended to be exempted hereunder. When the property
267 which is the subject of the claim for exemption provided for in this
268 subdivision is greater than a single family house, the assessor shall
269 aggregate the assessment on the lot and building and allow an
270 exemption of that percentage of the aggregate assessment which the
271 value of the portion of the building occupied by the claimant bears to
272 the value of the entire building;

273 (C) Subject to the approval of the legislative body of the
274 municipality, the dwelling house and the lot whereupon the same is
275 erected, belonging to or held in trust for any citizen and resident of this
276 state, occupied as such person's domicile shall be fully exempt from
277 local property taxation, if such person is a veteran who served in the
278 Army, Navy, Marine Corps, Coast Guard or Air Force of the United
279 States and has received financial assistance for specially adapted
280 housing under the provisions of Section 801 of Title 38 of the United
281 States Code and has applied such assistance toward the acquisition or
282 modification of such dwelling house. The same exemption may also be
283 allowed on such housing units owned by the surviving spouse of such
284 veteran (i) while such spouse remains a widow or widower, or (ii)
285 upon the termination of any subsequent marriage of such spouse by
286 dissolution, annulment or death, or by such veteran and spouse while
287 occupying such premises as a residence;

288 (22) Subject to the provisions of sections 12-89, 12-90 and 12-95,
289 property to the amount of one thousand dollars belonging to, or held
290 in trust for, any surviving spouse while such person remains a widow
291 or widower, or a minor child or both, residing in this state, of one who
292 has served in the Army, Navy, Marine Corps, Coast Guard or Air
293 Force of the United States or of any citizen of the United States who
294 served in the military or naval service of a government allied or
295 associated with the United States, as provided by subdivision (19) of
296 this section, and has died either during his or her term of service or
297 after receiving an honorable discharge therefrom, provided such
298 amount shall be three thousand dollars if death was due to service and
299 occurred while on active duty;

300 (23) Subject to the provisions of sections 12-89, 12-90 and 12-95,
301 property to the amount of one thousand dollars belonging to, or held
302 in trust for, any surviving spouse, while such spouse remains a widow
303 or widower, resident of this state, of one who has served in the Army,
304 Navy, Marine Corps, Coast Guard or Air Force of the United States,
305 which surviving spouse is receiving or has received a pension, annuity
306 or compensation from the United States;

307 (24) The exemption from taxation granted by subdivision (22) of this
308 section, to the amount of three thousand dollars allowable to the
309 widow or widower or minor child or both of a veteran whose death
310 was due to service and occurred on active duty shall be granted to any
311 widow or widower drawing compensation from the [Veterans'
312 Administration] United States Department of Veterans Affairs, upon
313 verification of such fact by letter from the [Veterans' Administration]
314 United States Department of Veterans Affairs;

315 Sec. 9. Subsection (a) of section 12-81g of the general statutes is
316 repealed and the following is substituted in lieu thereof (*Effective from*
317 *passage*):

318 (a) Effective for the assessment year commencing October 1, 1985,
319 and each assessment year thereafter, any person entitled to an
320 exemption from property tax in accordance with subdivision (19), (20),

321 (21), (22), (23), (24), (25) or (26) of section 12-81, as amended by this act,
322 reflecting any increase made pursuant to the provisions of section 12-
323 62g, shall be entitled to an additional exemption from such tax in an
324 amount equal to twice the amount of the exemption provided for such
325 person pursuant to any such subdivision, provided such person's
326 qualifying income does not exceed the applicable maximum amount as
327 provided under section 12-81l, except that if such person has a
328 disability rating of one hundred per cent as determined by [the
329 Veterans' Administration of] the United States Department of Veterans
330 Affairs, the total of such adjusted gross income, individually, if
331 unmarried, or jointly, if married, in the calendar year ending
332 immediately preceding the assessment date with respect to which such
333 additional exemption is allowed, is not more than twenty-one
334 thousand dollars if such person is married or not more than eighteen
335 thousand dollars if such person is not married. Any claimant who, for
336 the purpose of obtaining an exemption under this section, wilfully fails
337 to disclose all matters related thereto or with intent to defraud makes
338 any false statement shall forfeit the right to claim such additional
339 veteran's exemption.

340 Sec. 10. Subsection (a) of section 14-21d of the general statutes is
341 repealed and the following is substituted in lieu thereof (*Effective from*
342 *passage*):

343 (a) The Commissioner of Motor Vehicles, at the request of any
344 member or former member of the armed forces, as defined in section
345 27-103, as amended by this act, who is a former prisoner of war, shall
346 register, without charge, any passenger motor vehicle, camper or
347 passenger and commercial motor vehicle owned or leased by such
348 person, provided no more than two such registrations may be issued
349 to any such person. The commissioner shall issue a special certificate of
350 registration and a number plate or set of number plates in accordance
351 with the provisions of subsection (a) of section 14-21b for each such
352 vehicle. Each application for such special registration and number
353 plate shall be accompanied by proof from [the Veterans'
354 Administration of] the United States Department of Veterans Affairs

355 that such person is a former prisoner of war. The surviving spouse of a
356 former prisoner of war issued such special registration may retain any
357 such registration and number plates without charge for his or her
358 lifetime or until such time as he or she remarries.

359 Sec. 11. Section 14-254 of the general statutes is repealed and the
360 following is substituted in lieu thereof (*Effective from passage*):

361 "Disabled veteran", as used in this section, means any veteran who
362 served in time of war, as defined by section 27-103, as amended by this
363 act, and one or both of whose legs or arms or parts thereof have been
364 amputated or the use of which has been lost or who is blind, or who
365 have traumatic brain injury, or paraplegic or hemiplegic, such
366 disability being certified as service-connected by the [Veterans'
367 Administration] United States Department of Veterans Affairs. The
368 Commissioner of Motor Vehicles, upon application of any disabled
369 veteran accompanied by such certificate of the [Veterans'
370 Administration] United States Department of Veterans Affairs, shall
371 issue without charge a special number plate or set of plates in
372 accordance with the provisions of subsection (a) of section 14-21b to be
373 attached to a passenger motor vehicle owned or operated by such
374 veteran and an identification card to be used in connection therewith.
375 The card shall identify the veteran and the motor vehicle and shall
376 state that such veteran is a disabled veteran qualified to receive the
377 card, that the card, plate or plates shall be returned to the
378 commissioner if the registration of the motor vehicle is cancelled or
379 transferred, that the card is for the exclusive use of the person to whom
380 it is issued, is not transferable and will be revoked if presented by any
381 other person or if any privilege granted under this section is abused. If
382 not so revoked, the card shall be renewable every four years at the
383 time of registration of motor vehicles. No penalty shall be imposed for
384 the overtime parking of any motor vehicle bearing a number plate
385 issued under this section when it has been so parked by the disabled
386 veteran to whom the plate and an identification card were issued or by
387 any person operating such vehicle when accompanied by such veteran,
388 provided the length of time for which such vehicle may remain parked

389 at any one location shall not exceed twenty-four hours. The surviving
390 spouse of a disabled veteran issued such special registration may
391 retain any such registration and number plates without charge for his
392 or her lifetime or until such time as he or she remarries.

393 Sec. 12. Subdivision (3) of subsection (b) of section 16-262c of the
394 general statutes is repealed and the following is substituted in lieu
395 thereof (*Effective from passage*):

396 (3) As used in this section, (A) "household income" means the
397 combined income over a twelve-month period of the customer and all
398 adults, except children of the customer, who are and have been
399 members of the household for six months or more, and (B) "hardship
400 case" includes, but is not limited to: (i) A customer receiving local, state
401 or federal public assistance; (ii) a customer whose sole source of
402 financial support is Social Security, [Veterans' Administration] United
403 States Department of Veterans Affairs or unemployment compensation
404 benefits; (iii) a customer who is head of the household and is
405 unemployed, and the household income is less than three hundred per
406 cent of the poverty level determined by the federal government; (iv) a
407 customer who is seriously ill or who has a household member who is
408 seriously ill; (v) a customer whose income falls below one hundred
409 twenty-five per cent of the poverty level determined by the federal
410 government; and (vi) a customer whose circumstances threaten a
411 deprivation of food and the necessities of life for himself or dependent
412 children if payment of a delinquent bill is required.

413 Sec. 13. Subsection (b) of section 16a-22m of the general statutes is
414 repealed and the following is substituted in lieu thereof (*Effective from*
415 *passage*):

416 (b) As used in this section, (1) "eligible residential propane
417 customer" means a residential propane customer (A) who receives
418 local, state or federal public assistance, (B) whose sole source of
419 financial support is Social Security, [Veterans' Administration] United
420 States Department of Veterans Affairs or unemployment compensation
421 benefits, (C) who is head of the household and is unemployed, and the

422 household income is less than three hundred per cent of the poverty
423 level determined by the federal government, (D) who is seriously ill or
424 who has a household member who is seriously ill, (E) whose income
425 falls below two hundred per cent of the poverty level determined by
426 the federal government, or (F) whose circumstances threaten a
427 deprivation of food and the necessities of life for himself or dependent
428 children if payment of a delinquent bill is required; and (2) "household
429 income" means the combined income over a twelve-month period of
430 the customer and all adults, except children of the customer, who are
431 and have been members of the household for six months, or more.

432 Sec. 14. Subsection (j) of section 17b-261 of the general statutes is
433 repealed and the following is substituted in lieu thereof (*Effective from*
434 *passage*):

435 (j) A veteran, as defined in section 27-103, as amended by this act,
436 and any member of his or her family, who applies for or receives
437 assistance under the Medicaid program, shall apply for all benefits for
438 which he or she may be eligible through [the Veterans' Administration
439 or] the United States Department of Veterans Affairs or Department of
440 Defense.

441 Sec. 15. Section 26-29 of the general statutes is repealed and the
442 following is substituted in lieu thereof (*Effective from passage*):

443 No fee shall be charged for any sport fishing license issued under
444 this chapter to any blind person, and such license shall be a lifetime
445 license not subject to the expiration provisions of section 26-35. Proof
446 of such blindness shall be furnished, in the case of a veteran, by the
447 United States [Veterans' Administration] Department of Veterans
448 Affairs and, in the case of any other person, by the Department of
449 Rehabilitation Services. For the purpose of this section, a person shall
450 be blind only if his central visual acuity does not exceed 20/200 in the
451 better eye with correcting lenses, or if his visual acuity is greater than
452 20/200 but is accompanied by a limitation in the fields of vision such
453 that the widest diameter of the visual field subtends an angle no
454 greater than twenty degrees.

455 Sec. 16. Subsection (a) of section 27-103 of the general statutes is
456 repealed and the following is substituted in lieu thereof (*Effective from*
457 *passage*):

458 (a) As used in the general statutes, except chapter 504, and except as
459 otherwise provided: (1) "Armed forces" means the United States Army,
460 Navy, Marine Corps, Coast Guard and Air Force and any reserve
461 component thereof, including the Connecticut National Guard
462 performing duty as provided in Title 32 of the United States Code; (2)
463 "veteran" means any person honorably discharged from, or released
464 under honorable conditions from active service in, the armed forces;
465 (3) "service in time of war" means service of ninety or more cumulative
466 days except, if the period of war lasted less than ninety days, "service
467 in time of war" means service for the entire period of war, unless
468 separated from service earlier because of a service-connected disability
469 rated by the [Veterans' Administration] United States Department of
470 Veterans Affairs, during a period of war; and (4) "period of war" has
471 the same meaning as provided in 38 USC 101, as amended, except that
472 the "Vietnam Era" means the period beginning on February 28, 1961,
473 and ending on July 1, 1975, in all cases; and "period of war" shall
474 include service while engaged in combat or a combat support role in
475 Lebanon, July 1, 1958, to November 1, 1958, or September 29, 1982, to
476 March 30, 1984; Grenada, October 25, 1983, to December 15, 1983;
477 Operation Earnest Will, involving the escort of Kuwaiti oil tankers
478 flying the United States flag in the Persian Gulf, July 24, 1987, to
479 August 1, 1990; and Panama, December 20, 1989, to January 31, 1990,
480 and shall include service during such periods with the armed forces of
481 any government associated with the United States.

482 Sec. 17. Section 27-110 of the general statutes is repealed and the
483 following is substituted in lieu thereof (*Effective from passage*):

484 (a) When it appears that any veteran is eligible for treatment in a
485 [Veterans' Administration] United States Department of Veterans
486 Affairs facility, and commitment is necessary for the care and
487 treatment of such veteran, the court of probate of the district in which

488 the veteran is found may, upon receipt of a certificate of eligibility
489 from the [Veterans' Administration] United States Department of
490 Veterans Affairs, and if the veteran is adjudged mentally ill in
491 accordance with law, direct such veteran's commitment to the
492 [Veterans' Administration] United States Department of Veterans
493 Affairs for hospitalization in a [Veterans' Administration] United
494 States Department of Veterans Affairs facility. Thereafter such veteran,
495 upon admission to any such facility, shall be subject to the rules and
496 regulations of the [Veterans' Administration] United States
497 Department of Veterans Affairs and the chief officer of such facility
498 shall be vested with the same powers as are exercised by
499 superintendents of state hospitals for mental illness within this state
500 with reference to the retention, transfer or parole of the veteran so
501 committed. Notice of such pending commitment proceedings shall be
502 furnished the person to be committed and his or her right to appear
503 and defend shall not be denied. Any court of probate may order the
504 discharge of such veteran, upon application and satisfactory proof that
505 such veteran has been restored to reason. The commitment of a veteran
506 to the [Veterans' Administration] United States Department of
507 Veterans Affairs or other agency of the United States government by a
508 court of another state or of the District of Columbia, under a similar
509 provision of law, shall have the same force and effect as if such
510 commitment were made by a court of this state.

511 (b) Upon receipt of a certificate of the [Veterans' Administration]
512 United States Department of Veterans Affairs or any other agency of
513 the United States that facilities are available for the care or treatment of
514 any veteran committed to any hospital for mental illness or other
515 institution for the care or treatment of persons similarly afflicted and
516 that such veteran is eligible for care or treatment, the superintendent of
517 such hospital or institution may cause the transfer of such person to
518 the [Veterans' Administration] United States Department of Veterans
519 Affairs or other agency of the United States for care or treatment. Upon
520 effecting any such transfer, the committing court or proper officer
521 thereof shall be notified of such transfer by the transferring agency. No
522 person shall be transferred to the [Veterans' Administration] United

523 States Department of Veterans Affairs or other agency of the United
524 States if he or she is confined pursuant to conviction of any felony or
525 misdemeanor or if he or she has been acquitted of such a charge solely
526 on the ground of insanity, unless prior to transfer the court or other
527 authority originally committing such person enters an order for such
528 transfer after appropriate motion and hearing. Any person transferred
529 as provided in this section shall be deemed to be committed to the
530 [Veterans' Administration] United States Department of Veterans
531 Affairs or other agency of the United States pursuant to the original
532 commitment.

533 Sec. 18. Section 27-129 of the general statutes is repealed and the
534 following is substituted in lieu thereof (*Effective from passage*):

535 When an application is filed for the appointment of a conservator
536 for an incompetent veteran, a certificate of the [Administrator of
537 Veterans' Affairs of the] United States Secretary of Veterans Affairs or
538 his or her authorized representative that such person has been rated
539 incompetent by the [Veterans' Administration] United States
540 Department of Veterans Affairs on examination in accordance with the
541 laws and regulations governing [such Veterans' Administration] the
542 United States Department of Veterans Affairs, and that appointment of
543 a conservator is a condition precedent to the payment of any moneys
544 due such veteran by the [Veterans' Administration] United States
545 Department of Veterans Affairs, shall be prima facie evidence of the
546 necessity for such appointment.

547 Sec. 19. Subdivision (5) of subsection (a) of section 31-3uu of the
548 general statutes is repealed and the following is substituted in lieu
549 thereof (*Effective from passage*):

550 (5) "New employee" means a person who (A) was unemployed prior
551 to employment with an eligible business, regardless of whether such
552 person collected unemployment compensation benefits as a result of
553 such unemployment, (B) was a member of the armed forces and was
554 called to active service in support of (i) Operation Enduring Freedom,
555 or (ii) military operations that were authorized by the President of the

556 United States that entail military action against Iraq, and (C) was
557 honorably discharged after not less than ninety days of service in an
558 area designated by the President of the United States by executive
559 order as a combat zone, as indicated on a military discharge document,
560 as defined in section 1-219, unless separated from service earlier
561 because of a service-connected disability rated by the [Veterans'
562 Administration] United States Department of Veterans Affairs. "New
563 employee" does not include a person who was employed in this state
564 by a related person of such eligible business during any of the twelve
565 months prior to employment with the eligible business;

566 Sec. 20. Subsection (l) of section 36a-261 of the general statutes is
567 repealed and the following is substituted in lieu thereof (*Effective from*
568 *passage*):

569 (l) Subject to such regulations and restrictions as the commissioner
570 finds necessary and proper, and subject to the limitations, restrictions
571 and privileges contained in this subsection, Connecticut banks are
572 authorized to make and invest in any loan which the [Administrator of
573 Veterans'] United States Secretary of Veterans Affairs guarantees,
574 makes a commitment to guarantee, or insures pursuant to Title III of
575 an Act of Congress entitled "Servicemen's Readjustment Act of 1944",
576 as amended, without regard to the limitations and restrictions of this
577 title. (1) Each such loan shall be subject to the provisions of this title
578 prescribing the maximum limits, in amount, of: (A) A loan or loans to
579 or total liability of any one individual, and (B) a loan upon the security
580 of real estate, with relation to the appraised value of such real estate.
581 (2) Each such loan shall be secured by a mortgage on real estate, except
582 that a loan pursuant to Section 501, 502 or 503 of the Servicemen's
583 Readjustment Act of 1944, as amended, for the purpose of repairing,
584 altering or improving a building or buildings, and a loan pursuant to
585 Section 505(a) of said act, need not be secured by a lien on real
586 property.

587 Sec. 21. Subsection (j) of section 36a-457b of the general statutes is
588 repealed and the following is substituted in lieu thereof (*Effective from*

589 *passage*):

590 (j) Without regard to the limitations and restrictions of this section, a
591 Connecticut credit union may make and invest in any mortgage loan
592 which the [Administrator of Veterans'] United States Secretary of
593 Veterans Affairs guarantees, makes a commitment to guarantee or
594 insures.

595 Sec. 22. Subdivision (2) of section 36a-615 of the general statutes is
596 repealed and the following is substituted in lieu thereof (*Effective from*
597 *passage*):

598 (2) "Loan broker" means any person who: (A) For or in expectation
599 of a fee (i) arranges, negotiates, places, solicits or finds an unsecured
600 loan; (ii) assists or advises a person in obtaining an unsecured loan; or
601 (iii) offers or attempts to engage in the activities described in
602 subparagraph (i) or (ii) of this subdivision; (B) acts for or on behalf of a
603 loan broker; (C) holds himself out to the public generally as a person
604 engaging in the activities described in subdivision (A) of this
605 subsection. A principal, officer, director, partner, joint venturer,
606 manager or other person with similar supervisory or managerial
607 responsibility for persons engaging in the activities described in
608 subdivisions (A) to (C), inclusive, of this subsection shall be deemed to
609 be a loan broker. "Loan broker" shall not include any bank, out-of-state
610 bank, Connecticut credit union, federal credit union, out-of-state credit
611 union, small loan licensee, nondepository mortgage lender, mortgage
612 correspondent lender or mortgage broker, sales finance company,
613 securities broker-dealer or investment adviser, investment company as
614 defined in the Investment Company Act of 1940, as amended from
615 time to time, forwarder of money, trustee under a mortgage or deed of
616 trust of real property, corporation exercising fiduciary powers, money
617 order and travelers check licensee, check cashing licensee, real estate
618 broker or agent, attorney, Federal Housing Authority or [Veterans'
619 Administration] United States Department of Veterans Affairs
620 approved lender, or insurance company; provided any such person or
621 entity so excluded is licensed by and subject to the regulation and

622 supervision of the appropriate regulatory agency of the United States
623 or this state or any other state and is acting within the scope of the
624 license.

625 Sec. 23. Section 36a-759 of the general statutes is repealed and the
626 following is substituted in lieu thereof (*Effective from passage*):

627 The disability of minority of any person otherwise eligible for a
628 loan, or guaranty or insurance of a loan, pursuant to the act of the
629 Congress of the United States entitled the Servicemen's Readjustment
630 Act of 1944, as from time to time amended, and of the minor spouse or
631 unmarried widow of any eligible veteran, in connection with any
632 transaction entered into pursuant to [that] said act, shall not affect the
633 binding effect of any obligation incurred by such eligible person or
634 spouse or widow as an incident to any such transaction, including
635 incurring of indebtedness and acquiring, encumbering, selling,
636 releasing or conveying property, or any interest therein, if all or part of
637 any such obligation is guaranteed or insured by the federal
638 government or the [Administrator of Veterans'] United States Secretary
639 of Veterans Affairs pursuant to [that] said act; or, if the [administrator]
640 secretary is the creditor, by reason of a loan or a sale pursuant to [that]
641 said act. This section shall not create, or render enforceable, any other
642 or greater rights or liabilities than would exist if such person, such
643 spouse or such widow were not a minor.

644 Sec. 24. Section 45a-12 of the general statutes is repealed and the
645 following is substituted in lieu thereof (*Effective from passage*):

646 When a copy of any probate record is required by the [Veterans'
647 Administration] United States Department of Veterans Affairs to be
648 used in determining the eligibility of any person to participate in
649 benefits made available by the [Veterans' Administration] United
650 States Department of Veterans Affairs, the official charged with the
651 custody of such public record shall, without charge, provide the
652 applicant for such benefits, or any person acting on his or her behalf, or
653 the authorized representative of the [Veterans' Administration] United
654 States Department of Veterans Affairs, with a certified copy of such

655 record.

656 Sec. 25. Section 45a-593 of the general statutes is repealed and the
657 following is substituted in lieu thereof (*Effective from passage*):

658 (a) The [Administrator of Veterans'] United States Secretary of
659 Veterans Affairs, created by Act of the Congress of the United States,
660 or the [administrator's] secretary's successor, shall be a party in interest
661 in any proceedings brought under any provision of the general statutes
662 for the appointment of a guardian or conservator of a veteran of any
663 war or other beneficiary on whose account benefits of compensation,
664 adjusted compensation, pension or insurance or other benefits are
665 payable by the [Veterans' Administration] United States Department of
666 Veterans Affairs.

667 (b) The [Administrator of Veterans'] United States Secretary of
668 Veterans Affairs, or the [administrator's] secretary's successor, shall be
669 an interested party in the administration of the estate of any ward or
670 conserved person on whose account the benefits are payable or whose
671 estate includes assets derived from benefits paid by the [Veterans'
672 Administration] United States Department of Veterans Affairs, its
673 predecessor or successor.

674 (c) Written notice shall be given by regular mail, unless waived in
675 writing, to the division of the office of the [Veterans' Administration]
676 United States Department of Veterans Affairs having jurisdiction over
677 the area in which the court is located, of the time and place for a
678 hearing on any petition or pleading or in connection with any
679 proceeding pertaining to or affecting in any manner the administration
680 of the estate of any beneficiary of the [Veterans' Administration]
681 United States Department of Veterans Affairs. Notice shall be mailed
682 in time to reach such office not less than ten days before the date of the
683 hearing or other proceeding.

684 Sec. 26. Subsection (b) of section 45a-594 of the general statutes is
685 repealed and the following is substituted in lieu thereof (*Effective from*
686 *passage*):

687 (b) Compensation payable to the conservator or guardian of any
688 veteran or other beneficiary of the [Veterans' Administration] United
689 States Department of Veterans Affairs for administering moneys paid
690 by the United States through the [Veterans' Administration] United
691 States Department of Veterans Affairs, or revenue or profit from any
692 property wholly or partially acquired therewith, shall be based upon
693 services rendered and shall not exceed five per cent of the amount of
694 moneys received during the period covered by the account. If
695 extraordinary services are rendered by any conservator or guardian,
696 the Court of Probate, upon petition and hearing, may authorize
697 reasonable additional compensation. A copy of the petition and notice
698 of hearing shall be given to the proper office of the [Veterans'
699 Administration] United States Department of Veterans Affairs in the
700 manner provided for hearing on other petitions or pleadings filed by
701 such conservators or guardians. No commission or compensation shall
702 be allowed on the moneys or other assets received from a prior
703 guardian nor upon the amount received from liquidation of loans or
704 other investments.

705 Sec. 27. Section 49-22a of the general statutes is repealed and the
706 following is substituted in lieu thereof (*Effective from passage*):

707 In any action brought for the foreclosure of a mortgage upon land
708 where the court may, in accordance with the provisions of section 49-
709 22, issue execution of ejectment to the plaintiff and the mortgage loan
710 has been guaranteed by the [Administrator of Veterans'] United States
711 Secretary of Veterans Affairs pursuant to Title III of an Act of Congress
712 entitled "Servicemen's Readjustment Act of 1944", the court may issue
713 execution of ejectment to put in possession of such land the
714 [Administrator of Veterans'] United States Secretary of Veterans
715 Affairs, upon the filing by the plaintiff of an affidavit that (1) the
716 guarantee has been honored by the [Administrator of Veterans'
717 Affairs] United States Secretary of Veterans Affairs, (2) the plaintiff's
718 title to the property has been conveyed to the [Administrator of
719 Veterans'] United States Secretary of Veterans Affairs who has become
720 subrogated to all the rights of the plaintiff in the property, and (3) the

721 foreclosure judgment has been assigned to the [Administrator of
722 Veterans'] United States Secretary of Veterans Affairs.

723 Sec. 28. Subsection (a) of section 49-31i of the general statutes is
724 repealed and the following is substituted in lieu thereof (*Effective from*
725 *passage*):

726 (a) In determining the restructured mortgage debt, the court shall
727 add the following to the existing principal balance of the mortgage
728 debt: (1) All interest then due the lender and any interest that will be
729 earned to the end of any restructuring period, including interest on
730 any payments advanced by the lender during the restructuring period,
731 such interest to be computed at the rate provided in the mortgage note,
732 (2) real property taxes, (3) premiums for Federal Housing
733 Administration, [Veterans' Administration] United States Department
734 of Veterans Affairs and private mortgage insurance, and (4) court
735 costs, legal fees and any other sums the court determines to be due
736 under the terms of the mortgage indebtedness by the court. The court
737 shall then apply the composite interest rate as provided in subsection
738 (c) of this section to such total restructured debt over the remaining
739 term of the loan.

740 Sec. 29. Subsection (b) of section 51-49h of the general statutes is
741 repealed and the following is substituted in lieu thereof (*Effective from*
742 *passage*):

743 (b) Any such judge, any family support magistrate or any
744 compensation commissioner who is a veteran may receive credit for
745 retirement purposes for military service, if such judge, family support
746 magistrate or compensation commissioner makes retirement
747 contributions for each month of military service equal to one-twelfth of
748 five per cent of his first year's salary as a judge, family support
749 magistrate or compensation commissioner multiplied by the total
750 number of months of such military service, except that (1) no
751 retirement contribution shall be made for service as a prisoner of war,
752 and (2) no credit shall be allowed for military service to any such
753 judge, family support magistrate or compensation commissioner who

754 has served less than ten years as a judge, family support magistrate or
 755 compensation commissioner, nor for more than fifty per cent of such
 756 military service or three years, whichever is less. Service credit for
 757 military service for retirement purposes other than service as a
 758 prisoner of war shall not be granted until payment of contributions is
 759 completed. Any application for military service credit under this
 760 section for service as a prisoner of war shall be accompanied by
 761 sufficient proof from [the Veterans' Administration of] the United
 762 States Department of Veterans Affairs that such judge, family support
 763 magistrate or compensation commissioner is a former prisoner of war.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	3-62b(5)
Sec. 2	<i>from passage</i>	4a-82(a)(1)
Sec. 3	<i>from passage</i>	5-224
Sec. 4	<i>from passage</i>	7-313c(b)
Sec. 5	<i>from passage</i>	7-415
Sec. 6	<i>from passage</i>	7-436b(b)
Sec. 7	<i>from passage</i>	10a-166(a)
Sec. 8	<i>from passage</i>	12-81(20) to (24)
Sec. 9	<i>from passage</i>	12-81g(a)
Sec. 10	<i>from passage</i>	14-21d(a)
Sec. 11	<i>from passage</i>	14-254
Sec. 12	<i>from passage</i>	16-262c(b)(3)
Sec. 13	<i>from passage</i>	16a-22m(b)
Sec. 14	<i>from passage</i>	17b-261(j)
Sec. 15	<i>from passage</i>	26-29
Sec. 16	<i>from passage</i>	27-103(a)
Sec. 17	<i>from passage</i>	27-110
Sec. 18	<i>from passage</i>	27-129
Sec. 19	<i>from passage</i>	31-3uu(a)(5)
Sec. 20	<i>from passage</i>	36a-261(l)
Sec. 21	<i>from passage</i>	36a-457b(j)
Sec. 22	<i>from passage</i>	36a-615(2)
Sec. 23	<i>from passage</i>	36a-759
Sec. 24	<i>from passage</i>	45a-12
Sec. 25	<i>from passage</i>	45a-593

Sec. 26	<i>from passage</i>	45a-594(b)
Sec. 27	<i>from passage</i>	49-22a
Sec. 28	<i>from passage</i>	49-31i(a)
Sec. 29	<i>from passage</i>	51-49h(b)

Statement of Legislative Commissioners:

In sections 1, 7, 10, 11 and 14, "as amended by this act" was added for clarity and accuracy. In section 18, a phrase was adjusted for consistency.

VA *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill makes technical and clarifying changes and does not result in a fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis

SB 1034

AN ACT CONCERNING VETERANS AFFAIRS.

This bill makes technical changes, including replacing outdated references to the U.S. Veterans Administration with the U.S. Department of Veterans Affairs, and similar conforming changes.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Veterans' Affairs Committee

Joint Favorable

Yea 13 Nay 0 (03/07/2013)